



## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-899, A-821-829]

#### **Granular Polytetrafluoroethylene Resin from India and the Russian Federation: Antidumping Duty Orders**

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC), Commerce is issuing antidumping duty orders on granular polytetrafluoroethylene (PTFE) resin from India and the Russian Federation (Russia).

**DATES:** Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**FOR FURTHER INFORMATION CONTACT:** Alexis Cherry at (202) 482-0607 (India); and Jaron Moore at (202) 482-3640 (Russia); AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230.

#### **SUPPLEMENTARY INFORMATION:**

##### Background

On January 25, 2022, Commerce published in the *Federal Register* its affirmative final determinations in the less-than-fair-value (LTFV) investigations of granular PTFE resin from India and Russia.<sup>1</sup> On March 8, 2022, the ITC notified Commerce of its final determinations, pursuant to section 735(d) of the Tariff Act of 1930, as amended (the Act), that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act by

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<sup>1</sup> See *Granular Polytetrafluoroethylene Resin from India: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 87 FR 3772 (January 25, 2022); see also *Granular Polytetrafluoroethylene Resin from the Russian Federation: Final Determination of Sales at Less Than Fair Value*, 87 FR 3774 (January 25, 2022).

reason of LTFV imports of granular PTFE resin from India and Russia, and of its determination that critical circumstances do not exist with respect to dumped imports of granular PTFE resin from India.<sup>2</sup>

### Scope of the Orders

The product covered by these orders is granular PTFE resin from India and Russia. For a complete description of the scope of these orders, *see* the Appendix to this notice.

### Antidumping Duty Orders

On March 8, 2022, in accordance with section 735(d) of the Act, the ITC notified Commerce of its final determinations in these investigations, in which it found that an industry in the United States is materially injured by reason of imports of granular PTFE resin from India and Russia.<sup>3</sup> Therefore, in accordance with section 735(c)(2) of the Act, Commerce is issuing these antidumping duty orders. Because the ITC determined that imports of granular PTFE resin from India and Russia are materially injuring a U.S. industry, unliquidated entries of such merchandise from India and Russia, entered or withdrawn from warehouse for consumption, are subject to the assessment of antidumping duties.

Therefore, in accordance with section 736(a)(1) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by Commerce, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or constructed export price) of the merchandise, for all relevant entries of granular PTFE resin from India and Russia. With the exception of entries occurring after the expiration of the provisional measures period and before publication of the ITC's final affirmative injury determinations, as further described below, antidumping duties will be assessed on unliquidated entries of granular PTFE resin from India and Russia entered, or

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<sup>2</sup> *See* ITC Notification Letter, Investigation Nos. 701-TA-663-664 and 731-TA-1555-1556 (Final) dated March 8, 2022 (ITC Notification Letter).

<sup>3</sup> *Id.*

withdrawn from warehouse, for consumption, on or after September 2, 2021, the date of publication of the *Preliminary Determinations* in the *Federal Register*.<sup>4</sup>

#### Critical Circumstances

With regard to the ITC's negative critical circumstances determination on imports of granular PTFE resin from India, we will instruct CBP to lift suspension and to refund any cash deposits made to secure the payment of estimated antidumping duties with respect to entries of the subject merchandise from India entered, or withdrawn from warehouse, for consumption on or after June 4, 2021 (*i.e.*, 90 days prior to the date of the publication of the *India Preliminary Determination*), but before September 2, 2021 (*i.e.*, the date of publication of the *India Preliminary Determination*).

#### Continuation of Suspension of Liquidation

Except as noted in the "Provisional Measures" section of this notice, in accordance with section 736 of the Act, Commerce will instruct CBP to continue to suspend liquidation on all relevant entries of granular PTFE resin from India and Russia. These instructions suspending liquidation will remain in effect until further notice.

Commerce will also instruct CBP to require cash deposits equal to the estimated weighted-average dumping margins indicated in the tables below, adjusted by the export subsidy offset. Accordingly, effective on the date of publication in the *Federal Register* of the notice of the ITC's final affirmative injury determinations, CBP will require, at the same time as importers would normally deposit estimated duties on subject merchandise, a cash deposit equal to the rates listed below. The relevant all-others rate applies to all producers or exporters not specifically listed.

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<sup>4</sup> See *Granular Polytetrafluoroethylene Resin from India: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances, Postponement of Final Determination, and Extension of Provisional Measures*, 86 FR 49299 (September 2, 2021) (*India Preliminary Determination*); and *Granular Polytetrafluoroethylene Resin from the Russian Federation: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 86 FR 49297 (September 2, 2021) (*Russia Preliminary Determination*) (collectively, *Preliminary Determinations*).

## Provisional Measures

Section 733(d) of the Act states that suspension of liquidation pursuant to an affirmative preliminary determination may not remain in effect for more than four months, except where exporters representing a significant proportion of exports of the subject merchandise request that Commerce extend the four-month period to no more than six months. At the request of exporters that account for a significant proportion of exports of granular PTFE resin from India and Russia, Commerce extended the four-month period to six months in these investigations. Commerce published the *Preliminary Determinations* on September 2, 2021.<sup>5</sup>

The extended provisional measures period, beginning on the date of publication of the *Preliminary Determinations*, ended on February 28, 2022. Therefore, in accordance with section 733(d) of the Act and our practice,<sup>6</sup> Commerce will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of granular PTFE resin from India and Russia entered, or withdrawn from warehouse, for consumption after February 28, 2022, the final day on which the provisional measures were in effect, until and through the day preceding the date of publication of the ITC's final affirmative injury determinations in the *Federal Register*. Suspension of liquidation and the collection of cash deposits will resume on the date of publication of the ITC's final determinations in the *Federal Register*.

## Estimated Weighted-Average Dumping Margins

The estimated weighted-average dumping margins are as follows:

### **India:**

<b>Exporter/Producer</b>	<b>Estimated Weighted-Average Dumping Margin (percent)</b>	<b>Cash Deposit Rate (Adjusted for Subsidy Offsets) (percent)</b>
Gujarat Fluorochemicals Limited	13.09	10.01

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<sup>5</sup> See *India Preliminary Determination* and *Russia Preliminary Determination*.

<sup>6</sup> See, e.g., *Certain Corrosion-Resistant Steel Products from India, India, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders*, 81 FR 48390, 48392 (July 25, 2016).

All Others	13.09	10.01
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**Russia:**

Exporter/Producer	Estimated Weighted-Average Dumping Margin (percent)	Cash Deposit Rate (Adjusted for Subsidy Offsets) (percent)
HaloPolymer OJSC <sup>7</sup>	17.99	17.36
All Others	17.99	17.36

Establishment of the Annual Inquiry Service Lists

On September 20, 2021, Commerce published the final rule titled “*Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*” in the *Federal Register*.<sup>8</sup> On September 27, 2021, Commerce also published the notice titled “*Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*” in the *Federal Register*.<sup>9</sup> The *Final Rule* and *Procedural Guidance* provide that Commerce will maintain an annual inquiry service list for each order or suspended investigation, and any interested party submitting a scope ruling application or request for circumvention inquiry shall serve a copy of the application or request on the persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin.<sup>10</sup>

In accordance with the *Procedural Guidance*, for orders published in the *Federal Register* after November 4, 2021, Commerce will create an annual inquiry service list segment in Commerce’s online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), available at <https://access.trade.gov>,

<sup>7</sup> The final rate applies to subject merchandise produced by HaloPolymer Kirovo-Chepetsk, LLC, HaloPolymer Perm, OJSC, and Limited Liability Company First Fluoroplastic Plant and exported by either Limited Liability Company Trading House HaloPolymer or HaloPolymer OJSC.

<sup>8</sup> See *Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300 (September 20, 2021) (*Final Rule*).

<sup>9</sup> See *Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*, 86 FR 53205 (September 27, 2021) (*Procedural Guidance*).

<sup>10</sup> *Id.*

within five business days of publication of the notice of the order. Each annual inquiry service list will be saved in ACCESS, under each case number, and under a specific segment type called “AISL-Annual Inquiry Service List.”<sup>11</sup>

Interested parties who wish to be added to the annual inquiry service list for an order must submit an entry of appearance to the annual inquiry service list segment for the order in ACCESS within 30 days after the date of publication of the order. For ease of administration, Commerce requests that law firms with more than one attorney representing interested parties in an order designate a lead attorney to be included on the annual inquiry service list. Commerce will finalize the annual inquiry service list within five business days thereafter. As mentioned in the *Procedural Guidance*, the new annual inquiry service list will be in place until the following year, when the *Opportunity Notice* for the anniversary month of the order is published.

Commerce may update an annual inquiry service list at any time as needed based on interested parties’ amendments to their entries of appearance to remove or otherwise modify their list of members and representatives, or to update contact information. Any changes or announcements pertaining to these procedures will be posted to the ACCESS website at <https://access.trade.gov>.

#### Special Instructions for Petitioners and Foreign Governments

In the *Final Rule*, Commerce stated that, “after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be placed on the annual inquiry service list in the years that follow.”<sup>12</sup> Accordingly, as stated above, the petitioners and foreign governments should submit their initial entry of appearance after publication of this notice in order to appear in the first annual inquiry service list for those orders

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<sup>11</sup> This segment will be combined with the ACCESS Segment Specific Information (SSI) field which will display the month in which the notice of the order or suspended investigation was published in the *Federal Register*, also known as the anniversary month. For example, for an order under case number A-000-000 that was published in the *Federal Register* in January, the relevant segment and SSI combination will appear in ACCESS as “AISL-January Anniversary.” Note that there will be only one annual inquiry service list segment per case number, and the anniversary month will be pre-populated in ACCESS.

<sup>12</sup> See *Final Rule*, 86 FR 52335.

for which they qualify as an interested party. Pursuant to 19 CFR 351.225(n)(3), the petitioners and foreign governments will not need to resubmit their entries of appearance each year to continue to be included on the annual inquiry service list. However, the petitioners and foreign governments are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

#### Notification to Interested Parties

This notice constitutes the antidumping duty orders with respect to granular PTFE resin from India and Russia pursuant to section 736(a) of the Act. Interested parties can find a list of antidumping duty orders currently in effect at <http://enforcement.trade.gov/stats/iastats1.html>.

These antidumping duty orders are published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: March 9, 2022.

**Lisa W. Wang,**  
*Assistant Secretary for Enforcement and Compliance.*

## **Appendix**

### **Scope of the Orders**

The product covered by these orders is granular polytetrafluoroethylene (PTFE) resin. Granular PTFE resin is covered by the scope of these orders whether filled or unfilled, whether or not modified, and whether or not containing co-polymer, additives, pigments, or other materials. Also included is PTFE wet raw polymer. The chemical formula for granular PTFE resin is  $C_2F_4$ , and the Chemical Abstracts Service Registry number is 9002-84-0.

Subject merchandise includes material matching the above description that has been finished, packaged, or otherwise processed in a third country, including by filling, modifying, compounding, packaging with another product, or performing any other finishing, packaging, or processing that would not otherwise remove the merchandise from the scope of the orders if performed in the country of manufacture of the granular PTFE resin.

The product covered by these orders does not include dispersion or coagulated dispersion (also known as fine powder) PTFE.

PTFE further processed into micropowder, having particle size typically ranging from 1 to 25 microns, and a melt-flow rate no less than 0.1 gram/10 minutes, is excluded from the scope of these orders.

Granular PTFE resin is classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheading 3904.61.0010. Subject merchandise may also be classified under HTSUS subheading 3904.69.5000. Although the HTSUS subheadings and CAS Number are provided for convenience and Customs purposes, the written description of the scope is dispositive.

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